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VIA ECF & EMAIL (courtesy copy)

Hon. Analisa Torres
U.S. District Court, S.D.N.Y.
Torres_NYSDChambers@nysd.uscourts.gov

Re: 1:23-cv-09816-AT Blair Russell Productions LLC et al v. Rivera-Herrans

Judge Torres,

I represent Plaintiffs in the above-referenced action, in which Plaintiffs seek a declaratory judgment concerning the parties' respective rights and interests in certain sound recordings. I respectfully write pursuant to Your Honor's individual practice rule II.B to request, for the first time, an adjournment of the parties' time to: (a) submit a joint-letter and case management plan, and (b) consent to proceed before a magistrate, if the parties ultimately agree to doing so. The current deadline for the submissions is January 5, 2024 [Docs. 10-11], and I propose that the dates be adjourned to two weeks after Defendant responds to the complaint. Defendant's current deadline to respond to the complaint is January 16, 2024.

Although Defendant has not yet formally appeared in this action (*pro se* or by counsel), I do not anticipate Defendant defaulting. On November 9, 2023, I received an email from attorney David Jonelis of the Los Angeles law firm Lavelly & Singer PC advising that his firm: (a) "has been retained as litigation counsel for [defendant] in connection with the above-referenced matter" and (b) was authorized to execute a waiver of service form on behalf of defendant. On November 14, 2023, Mr. Jonelis signed the waiver of service [Doc. 9], making January 16, 2024 Defendant's deadline to respond to the complaint. On November 16th, Mr. Jonelis was served with the relevant scheduling orders [Doc. 13], and since that time I have had various communications with Mr. Jonelis about a potential resolution of the parties' dispute. On December 27, 2023, Mr. Jonelis proposed adjourning the joint-submissions, I consented, and I am submitting this letter because Defendant has not yet appeared in this case.¹

¹ Despite advising that his firm was representing Defendant in this case (the subject of Mr. Jonelis' initial email was "Jorge Rivera-Herrans adv. Blair Russell Productions / SDNY Case No: 1:23-cv-09816"), and signing the waiver of service, it was not until December 27th that Mr. Jonelis disclosed "I will need to bring in local counsel to file our response since I am not licensed in NY."

January 2, 2024

I do not yet know whether Defendant intends to answer the complaint or make a motion by his January 16th deadline. In any event, I respectfully submit that it serves judicial economy to adjourn the submissions until two-weeks after Defendant responds.

Respectfully,


/s/ Jordan Greenberger
Jordan Greenberger, Esq.

Cc: David Jonelis, Esq. (via email)

GRANTED. By **January 30, 2024**, the parties shall file their proposed case management plan and joint letter and indicate whether they consent to proceed before the Magistrate Judge.

SO ORDERED.

Dated: January 3, 2024
New York, New York



ANALISA TORRES
United States District Judge